

### **Objection to the Claims**

The Office Action objects to the claims for several informalities, and correction has been provided. The "Deleted" text in Claims 1, 8 and 9 has been deleted. Claims 5, 13 and 14 now has the status shown "Original." Claim 8 has been amended as intended in the last office action response.

### **Rejection under 35 U.S.C. § 112, first paragraph**

Claim 17 has been amended to correct one the two step d) to step e).  
Claim 17 was appropriately amended as well.

### **Rejections under 35 U.S.C. §102**

The Office Action rejects Claims 1-5, 11-13 and 15-19 as anticipated by Gere US2004/0019778. Applicant respectfully traverses this rejection.

As is well known, an anticipation rejection requires that "each and every element as set forth in the claim is found, either expressly or inherently described, in a single piece prior art reference." Verdegaal Bros. v. Union Oil Co. of California, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). Gere does not anticipate Applicant's amended claim 1 which recites the limitations of "reconfiguring the second computer by merging configuration and program information of said first computer into a local system environment of said second computer; and thereafter operating said second computer in accordance with said settings without performing a system reboot."

Gere's method of operating transfers a bootable operating system from a first machine to a second machine. In Gere, the entire operating system is captured on a portable drive, and after the transfer of the operating system is

complete from a first machine to a second machine, reconfiguration of the second machine occurs upon the booting of the transferred operating system.

**Gere always requires a system reboot of the computer.**

By contrast, Applicant discloses a unique method of transferring a portable operating environment – not the operating system. Applicant's method involves a transfer of configuration, program/program data, and dynamic link library information from a first computer operating environment to a second computer operating environment via a portable data medium and requires a Portable Operating Environment software utility. The reconfiguration of a second environment occurs upon transfer of the information and **does not require a reboot. Applicant's method does not transfer an entire operating system.** This is an important distinction between Gere and the invention which the Examiner has failed to address in his analysis. The amended claim specifically claims this feature, and unless Gere teaches this limitation a § 102 rejection cannot be sustained. Because Applicant's method does not require booting of the second system environment prior to resuming operating, it is not suggested, taught, or disclosed by Gere.

Furthermore, Claim 1 requires a utility program. Gere does not suggest, teach, or disclose such a utility program. Because Gere fails to teach this limitation, a § 102 rejection cannot be sustained

For at least the foregoing reasons, Applicant asserts that Gere does not anticipate Claim 1. Claims 2-16 depend from Claim 1 and are likewise not anticipated by this reference and further add additional limitations to the allowable Claim 1. Therefore, Applicant respectfully requests that this rejection be withdrawn and claims 1 - 16 be allowed.

The Examiner also rejected Claims 17-19 under §102 citing Gere. Claim 17 pertains to registry information being transferred from a first computer to a second computer. Registry information is not part of the operating system. The registry data comprises settings and options for the operating system to use and is not part of the operating system. *See Exhibit 1, Rule 132 Statement; Exhibit 2, Wikipedia printouts; and Spec., para 0033 and Fig. 5.* Therefore, copying and moving the operating system cannot read upon Claim 17, which involves only the registry data.

Furthermore, Claim 17 requires using a first and second copy of a configuration utility to capture and merge the registry information. Gere does not suggest, teach, or disclose such configuration utility. Because Gere fails to teach this limitation, a § 102 rejection cannot be sustained.

For at least the foregoing reasons, Applicant asserts that Gere does not anticipate Claim 17. Claims 18-20 depend from claim 17 and are likewise not anticipated by this reference and further add additional limitations to the allowable Claim 17. Therefore, Applicant respectfully requests that this rejection be withdrawn and claims 17 - 20 be allowed.

In order to establish a *prima facie* case of obviousness, the prior art reference or references, *inter alia*, must teach or suggest all the claim limitations. See *Manual of Patent Examining Procedure*, § 2143, Revision 5, August 2006. Applicant asserts that neither Gere nor Hamilton, alone or in combination teaches or suggests Applicant's claims as found in Claims 1 and 17. Since, neither Gere nor Hamilton teaches or suggests the limitation of Applicant's Claim 1 or Claim 17, the rejections those claims and their dependent claims are traversed and the claims 1-20 allowable.

**CONCLUSION**

Based on the foregoing amendment and remarks, reconsideration of the application is respectfully requested. All objection and rejections have been traversed or accommodated. This response is intended to be a complete response to the Office Action mailed August 24, 2007. No new matter has been added. Applicants submit that the Claims are now in a condition for allowance, and such notice is hereby earnestly solicited.

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Respectfully submitted,

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